

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MUNICIPAL AUTHORITY OF WESTMORELAND COUNTY, on behalf of itself and all others similarly situated,	:	CIVIL ACTION NO. 2:16-CV-422
	:	(Chief Judge Conner)
	:	
Plaintiff	:	
	:	
v.	:	
	:	
CNX GAS COMPANY, LLC, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 20th day of December, 2017, upon consideration of the motion (Doc. 87) to quash filed by defendant CNX Gas Company, LLC (“CNX”), seeking to quash the subpoenas (Docs. 87-5, 87-6, 87-7) issued by plaintiff Municipal Authority of Westmoreland County (“MAWC”) to CONE Midstream Partners LP, CONE Gathering LLC, and Joseph Fink (collectively, “third party recipients”), the parties’ respective briefs in support of and opposition to said motion (Docs. 88, 96), the court’s *in camera* review of the emails, and for the reasons stated in the accompanying memorandum, it is hereby ORDERED that:

1. CNX’s motion is GRANTED as to the following documents, identified by their CONE-MAWC Bates Stamp: CONE-MAWC 01307 (content of January 12, 2012 email sent by attorney Bridget Furbee (“Furbee”) at 2:36 p.m. only); CONE-MAWC 01309 (content of January 12, 2012 email sent by Furbee at 4:41 p.m. only); CONE-MAWC 01316-01318; CONE-MAWC 01319-01321; CONE-MAWC 01330; CONE-MAWC 01369; CONE-MAWC 01370-01372 (except for the first two, logistical, emails on the chain); CONE-MAWC 01373-01375; CONE-MAWC 01376-01380; CONE-MAWC 01418; CONE-MAWC 01419-01420; CONE-MAWC 01421-01423; and CONE-MAWC 01424-01426.

2. CNX's motion is otherwise DENIED.
3. Within ten (10) days of the date of this order, third party recipients of the subpoenas shall produce all documents except the documents identified in paragraph 1 of this order.

BY THE COURT:

/S/ CHRISTOPHER C. CONNER

Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania